

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GUY E. ALLEN, CHRISTOPHER
MALLET,

Defendants.

4:11CR3087

MEMORANDUM AND ORDER

Defendant Allen has moved to dismiss this case. Trial was previously set to commence on November 5, 2012. (Filing No. 152). Accordingly,

IT IS ORDERED:

- 1) **As to both defendants**, the trial of this case is continued pending resolution of defendant Allen's motion to dismiss.
- 2) The Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, **as to both defendants**, the time beginning on October 25, 2012, when defendant Allen filed his motion to dismiss, until the resolution of that motion, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

November 2, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge